

TOWN OF DERBY, VERMONT
SELECT BOARD MEETING
Minutes
March 20, 2023

Present: Brian Smith, Steve Gendreau, Karen Chitambar, Grant Spates, Brad Shattuck.

Others: Chris Binette, Diane Binette, Patrick Hurley, Dan Dagesse, Joe Profera, Bob Kelley.

MEETING CALLED TO ORDER - 6:00 P.M.

Warrants #6A in the amount of \$25,009.64 and #6B in the amount of \$85,368.18 were signed.

APPROVE MINUTES:

Brian moved to approve the minutes of February 20, 2023, with Brad seconding. Unanimous.

PUBLIC COMMENTS: None

NEW BUSINESS:

Reorganize Board – Karen moved to nominate Grant as Selectboard Chair, seconded by Brad. Unanimous. Brad moved to nominate Brian as Selectboard Vice-Chair, seconded by Karen. Unanimous. Brian moved to make the following appointments, seconded by Brad. Unanimous.

One year appointments:

- Bob Kelley – Town Administrator
- Steve Gendreau – Road Commissioner
- Grant Spates & Karen Chitambar – NVDA Representatives
- Renee Falconer – Pound Keeper
- Joe Profera – Tree Warden
- Craig Ellam – Fire Warden
- Karen Chitambar – Energy Coordinator
- Nancy Moore – E-911 Coordinator
- Grant Spates & Brad Shattuck – Agents to sign deeds accepting or transferring property on behalf of town
- Craig Ellam & Steve Gendreau – Civil Defense
- Grant Spates & Brian Smith – Water/Sewer Committee
- Newport Daily Express – Newspaper of record

Four year appointments:

- Hazen Converse & Robert DeRoehn – Planning Commission
- Adam Guyette – Development Review Board

Review & Approve – List of Town Officials for NEKWMD – The list was reviewed and approved.

Dairninaka Dr – Dan Dagesse – Stormwater Permit – Dan explained that because the Town owns the road the Town needs to be part of the Stormwater Permit. The Town will maintain the road and ditches like it does on every road in the Town and the association will take care of everything else. Brian move to approve and sign the Application Certification, seconded by Brad. Unanimous.

VT Fish & Wildlife Conservation Projects – North Derby Road – Patrick Hurley, Memphremagog Watershed Association, explained two acquisition project VT Fish & Wildlife is proposing along Johns River/North Derby Road to help protect the Johns River. One is on the Binette property and the other is on the Sargent property. They would like a letter of support from the Town. Karen moved to approve letters of support for the two projects, seconded by Steve. Unanimous.

Review & Sign – Grant Reimbursements – Both were reviewed and signed.

Review & Sign – Engineering Contract – 4H Rd Culvert – East Engineering has submitted a proposal for engineering services for the proposed culvert replacement project on 4H Road along Greens Brook. VTrans has reviewed the proposal and is ok with it. The Town will be applying for a State Grant for the engineering. The proposal is for \$12,000 – Design & Permitting, \$125/hr – Right-of-Way Assistance, 4% of Selected Contractors Bid Price – Bid & Construction Administration/Management, and \$125/hr – Construction Inspection & Layout Assistance. Steve moved to approve the contract with East Engineering, seconded by Karen. Unanimous.

Review & Sign – 2023 Non-Arbitrage Borrowing Anticipation Note – Brad moved to approve, seconded by Karen. Unanimous.

Review & Sign – Pay Rates Form – The Board signed after Executive Session.

Review & Sign – A.D.A. Traffic Control Agreement – Steve moved to approve, seconded by Karen. Unanimous.

Review & Sign – Liquor Licenses – Brockton Corp (Shaw’s), Derby Line Village Inn, Tong Sheng Restaurant, Wesco Inc – At 6:30 Steve moved to go into a Liquor Control Board meeting, seconded by Karen. Unanimous. At 6:33 Steve moved to come out of the Liquor Control Board meeting, seconded by Brad. Unanimous. Karen moved to approve all the license requests, seconded by Brad. Unanimous.

Review & Sign - Excess Weight Permits – Consolidated Communications, Demag Riggers & Crane, Feed Commodities International Inc, IM Trucking LLC (DBA – Ivan Maxwell Trucking), JBL Hauling LLC, Kris Bullock (Sticks & Stuff), NA Manosh Inc, Oil Supply Corp, Pike Industries Inc, Tetreault’s Maple Farm LLC– Steve reviewed and signed all as Road Commissioner.

Review & Sign – Balance Sheet, Budget Status, Delinquent Tax Report & General Journal Posting – All were reviewed and signed.

TA & ZA Update – DRB/PC: The DRB doesn’t have any permits pending for next week. The PC is working on Article 6: Flood Hazard and River Corridor & Article 8: Limitations and Variances regulations. **Permits:** There have been 23 permits submitted year to date. **Storm Damage – FEMA:** The Town has received the final reimbursement for Dumas (\$68,800.26). The last of the paperwork for Administration (\$7,429.06), and the State share (\$9,980.50) have been approved. These final reimbursements should be coming in any day now. **Hinman Settler Rd Land:** Kacel Family Trust (Larry Fortin) has paid the Town \$1,000.00 which is the agreed upon sales price and has paid all attorney fees to date (\$610). It looks like this may be closing soon. **Municipal Energy Resilience Program (MERP):** This program is a good match for the Town Garage improvements, insulations and furnace upgrade, maximum Implementation Grant is \$500,000. An Energy Assessment is required to apply for a grant (up to \$500,000) and the assessment is free. Grant applications are due January 2024, so if the Town can hold off for another year this is the grant to apply for. The Board agreed that this would be a good grant opportunity for the Garage improvements. Repairs to the leaks in the roof will be done this summer and is budgeted for. An Energy Assessment is needed to apply for the Implementation Grant which MERP will pay for. We can also get a \$4,000 Community Capacity Grant to – Hire a grant writer, Host educational events, Purchase promotional material, or Start an energy committee. The Board thought it would be a good idea to form an Energy Committee. **Highway:** The Certification of Compliance for Town Road & Bridge Standards and Town Highways Annual Financial Plan need to be signed. The Board reviewed and signed both. Steve Davenport and Bob Kelley met with Eric Pope this morning. The Town should be getting \$60,000 for paving and a grant for the engineering for the 4H Rd culvert. The construction grant for the 4H Rd culvert will probably be in 2025, but there is a possibility that it will be next year.

Health Officer: Elijah is having some issues again with 18 & 26 Main St, Derby Line that he is working on. **New Park:** The State has started the Environmental Review that is required for the

project. The Town needs to hire a firm to do a Phase I Environmental Site Assessment. The State gave Bob a list of contractors and Bob contacted Wheeler Environmental Services and they estimated that it will cost between \$2,100 - \$2,500 which is in the range the State thought it would be. The Board agreed to hire Wheeler Environmental Service for the Phase I Environmental Site Assessment. The State didn't think that an Archaeology consultant would be needed, but gave Bob a list of consultants if needed. Bob is getting clarification to see if the Town can put anything out to bid before the assessment is completed. It is estimated that it will take a minimum of 2 months to complete. **Old Dumps:** Irene Dagesse informed Bob that the State is cracking down on closed landfills, but it is only for those that have closed since 1987. All 3 old landfills in Derby were closed before 1973 so it will not affect them.

OLD BUSINESS:

Legislative Update – House bill H.31 wanted to put a moratorium on ProcellaCor that has successfully been used against Eurasian Milfoil, the good news is it was ultimately taken out of the bill, but they want to do a study. Tomorrow Brian's Committee starts on S.5 The Affordable Heat Act.

ROAD REPORT:

Truck #1 is out for a complete brake job and should be back in service in a couple of days. Truck #5 has a software issue that needs to be analyzed. RFPs for paving have been given to Pike & Hutchins bids may be back for next meeting.

RECREATION COMMITTEE:

Karen has put in a proposal with the Career Center for some natural equipment. Steve will check the company that last logged the Town Forest to see if we can log some more.

OTHER BUSINESS:

The property at the intersection of Beebe Rd and Darling Hill Rd needs to be looked at for zoning violations.

EXECUTIVE SESSION:

Brad moved to go into executive session for a personnel matter at 7:10, seconded by Steve. Unanimous. Out of executive session at 7:44, the Board signed the Pay Rates Form.

ADJOURNMENT:

The next regular meeting is scheduled for 6:00 p.m. Monday, April 3, 2023. Steve made a motion to adjourn the meeting at 7:45 p.m., with Brad seconding. Unanimous.

Submitted by Bob Kelley, *Unofficial until approved.*